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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,006	08/17/2007	Carlos Segura Gordillo	TJA-147US	7078
23122	7590	02/07/2008		
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			EXAMINER FAN, HONGMIN	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,006	Applicant(s) SEGURA GORDILLO ET AL.	
	Examiner Hongmin Fan	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-17 is/are rejected.
- 7) ☒ Claim(s) 4 and 18-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/17/2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because in Fig1, legends are needed to describe each major blocks 4-9. And the claimed remote control is not shown in any of drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Flick (US 6873824).

As to claim 1, referring to Fig. 2, Flick disclosed a vehicle security system having the claimed limitations, comprising a number of security sensors including door, proximity (i.e. external presence detection means) (col. 5, line 15-19), a security controller 18' (i.e. electronic system). Further, any electronic device including the security system has to have a power supply to function. The security controller 18' may also include a passive arming feature (i.e. condition detection means) which automatically arms the controller (i.e. controls power) based upon the user exiting the vehicle 16 (i.e. door opening and closing) (col. 5, line 31-34).

As to claim 15, the claim is interpreted and rejected as claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 14, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flick in view of Nitou (Us Pub. 2005/0116816).

As to claim 2, Flick did not expressly disclose internal presence detection means. However, it is well known in the art to use internal presence detection means. Referring to Fig. 1, Nitou teaches a vehicle protection system comprising various sensor unit 106 is a sensor unit detecting various conditions of the vehicle. For example, ignition-key-condition sensors, inside-vehicle-human-being sensors and outside-vehicle-human-being sensors (visible video cameras, infrared video cameras, infrared sensors, ultrasonic sensors), , GPS units, and the like are utilizable as various sensor unit 106 (¶0059, line 1-10). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to incorporate internal presence detection means in Flick's system in order to protect the vehicle.

As to claim 14, the claim is interpreted and rejected as claim 2.

As to claim 16, the claim is interpreted and rejected as claim 2.

As to claim 17, the claim is interpreted and rejected as claim 2.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flick in view of Nitou, further in view of Eversull (US 3659265).

As to claim 3, either Flick or Nitou did not disclose tilt detection means. However, it is known in the art to use tilt detection means. Eversull teaches a anti-theft detector for vehicles wherein the alarm detectors have been responsive either to tilting or other movement of the vehicle (col. 1, line 12-14). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to incorporate tilt detection means in Flick's system in order to protect the vehicle.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flick in view of Nitou, further in view of Eversull, further in view of Dicroce (US Pub. 2004/0145458).

As to claim 5, Flick further disclosed a remote control 12. Flick did not expressly disclose timer. However, it is known in the art to use a timer. Dicroce teaches a vehicle security system wherein triggering the security system event comprises automatically arming the vehicle security system upon expiration of a predetermined arming time (i.e. timer). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to incorporate timer in Flick's system since it is well known in the art.

As to claim 6, the claim is interpreted and rejected as claim 1.

Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flick in view of Luna et al(US Pub. 2006/0152351).

As to claim 7-8, Flick did not expressly disclose electromagnetic detection device. However, it is known in the art to use electromagnetic detection device. Referring to Fig. 1-2, Luna et al teach a device for monitoring the safety of a vehicle comprising a detector with a receiver that can detect electromagnetic waves (¶0005, line 5-6) and the first, second, third and/or fourth detectors are optical cameras that are suitable for operation within the visible light and/or infrared spectrum (¶0035, line 1-4). Therefore, it would have been obvious to one of ordinary skills in the art at the time of

the invention to incorporate electromagnetic detection device in Flick's system since it is well known in the art.

As to claim 9-11, Luna et al teach said second and fourth detectors 11, 13 described in the examples of FIGS. 2 and 3 consist of the means to detect a distortion in the earth's magnetic field, and being suitable to detect at least two of the three spatial components of the magnetic field.

As to claim 12-13, Luna et al teach two of said detection devices are included in the same vehicle, one on each side of the vehicle, for example, in each of the outside rear-view mirrors (¶0005, line 15-17), which are suitable for detecting an object situated in the blind angle (¶0005, line 3-4).

Allowable Subject Matter

Claim 4, 18-31 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hongmin Fan whose telephone number is 571-272-2784. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HF


DAVETTA W. GOINS
PRIMARY EXAMINER